

*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*95 Fourth Street, Suite 3*  
*Chelsea, Massachusetts 02150*

**Jean M. Lorizio, Esq.**  
*Chairman*

**MEMORANDUM AND ORDER ON LICENSEE'S**  
**REQUEST FOR RECONSIDERATION**

**OLIVEIRAS ENTERPRISES CORP. D/B/A OLIVEIRA'S STEAK BAR & GRILL**  
**749-751 BROADWAY**  
**EVERETT, MA 02149**  
**LICENSE#: 00088-RS-0382**

Oliveiras Enterprises Corp. d/b/a Oliveira's Steak Bar & Grill (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "ABCC" or "Commission") held a hearing on Tuesday, March 30, 2021, regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 3) 204 CMR 2.05(2)- Permitting an illegality on the licensed premises, to wit: Mass. Exec. COVID- 19 Order No. 55 (Nov. 2, 2020) – Patron or employee failing to wear a mask or cloth face covering over their mouth and nose when in a public location;
- 4) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Mass. Exec. COVID-19 Order No. 58 (Dec. 8, 2020) – Failure to comply with rules applicable to Step 1 of Phase III of the Re-Opening Plan;
- 5) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Mass. Exec. COVID-19 Order No. 59 (Dec. 22, 2020) – Exceeding capacity limitation.

By decision dated April 30, 2021, the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension. Good cause for the Commission would include, but not be limited to, the Licensee's receiving approval from the Massachusetts Department of Labor Standards ("DLS") as to a reopening plan.

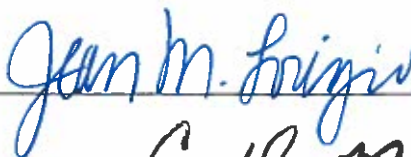
On May 7, 2021, the Commission received the notice of approval from Massachusetts Department of Labor Standards ("DLS"). On May 7, 2021, the Licensee submitted a written request to reconsider the indefinite suspension.

### CONCLUSION

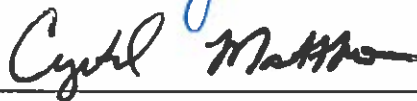
Based on the evidence presented, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Oliveiras Enterprises Corp. d/b/a Oliveira's Steak Bar & Grill **effective forthwith**.

### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: May 11, 2021

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
David Bolcome, Investigator  
Joseph Di Cicco, Investigator  
Michael Flanagan, Dept. of Labor Standards  
Marc Kornitsky, Esq.  
Administration, File